



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

a-1

*Promoting the wise use of land
Helping build great communities*

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| MEETING DATE May 26, 2005 | CONTACT/PHONE Josh LeBombard (805) 781-1431 | APPLICANT County of San Luis Obispo - General Services | FILE NO. DTM2004-00001 |
| SUBJECT Request to donate 30 acres of property to the County of San Luis Obispo for use as a future county park. The proposed project is within the Agricultural land use category and is located at 1184 Oso Flaco Lake Road, approximately 1/2 of a mile east of the intersection with Nipomo Road, approximately 3/4 of a mile west of the community of Nipomo. The site is in the South County Inland planning area. | | | |
| RECOMMENDED ACTION The proposed sale is in conformity with the county general plan | | | |
| ENVIRONMENTAL DETERMINATION Not required for conformity reports | | | |
| LAND USE CATEGORY Agriculture | COMBINING DESIGNATION None | ASSESSOR PARCEL NUMBER 092-031-003 | SUPERVISOR DISTRICT(S) 4 |
| PLANNING AREA STANDARDS: None | | | |
| LAND USE ORDINANCE STANDARDS: None | | | |
| EXISTING USES: Agriculture on portion below the Nipomo Mesa, none on the portion on the mesa | | | |
| SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban/Residences South: Agriculture/Crop Production East: Agriculture/Crop Production West: Agriculture/Crop Production | | | |
| TOPOGRAPHY: Level to steeply sloping | | | |
| PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: CDF | | | |
| ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242 | | | |

a.-2

PROJECT DESCRIPTION

The County Department of General Services is proposing to accept a property donation of 30 acres for use as a future county park. The Department of General Services will be handling the creation of a public lot that will be required for this transaction to take place. The property will remain as open space until a park plan is submitted. California Government Code Section 65402 requires that the planning agency first find that the proposed sale is in conformity with the county General Plan.

GENERAL PLAN CONFORMITY

When the acquisition or disposal of real property, or the construction of structures, is proposed by a public agency within the unincorporated area, the proposal must be evaluated for consistency with the county General Plan before the action is authorized. Pursuant to Government Code section 65100, this department is authorized to prepare and issue conformity reports that are required by Government Code section 65402. Because the property donation is a project that is required to be found consistent with the county general plan, this conformity report is being prepared.

The determination of conformity is to be based on the county General Plan including the text, standards, programs, and maps contained therein. Factors that are listed in Framework for Planning, Part I of the Land Use Element that may be considered in determining conformity include, but are not limited to the following:

1. The proposed project bears a reasonable relationship to pertinent policies and mapped locations of the most applicable General Plan elements, specific plan or facility master plan.
2. The project is consistent with the goals, objectives and policies of the Land Use Element and any other applicable General Plan element.
3. A proposed construction project is designed in conformance with the standards of the Land Use Ordinance as well as any standards contained in Chapter 8 of the applicable Land Use Element area plan.
4. The disposal or sale of public property will not eliminate, delay or unreasonably interfere with the opportunity to develop public sites or structures as identified in the General Plan. The proposal should be evaluated for its possible use as a public facility, or for its exchange or sale and subsequent purchase of a better site within the community.

The property is currently designated Agricultural. The Nipomo Mesa bisects the property; the portion below the mesa is used for agricultural production while the portion on the mesa is vacant. The portion on the mesa is not suitable for agricultural production due to steep slopes and inaccessibility and is the portion that is proposed for donation to the county.

The donation of the property meets the factors as set forth in the Land Use Element and as enumerated above because the project is not a suitable site for agricultural production and the donation of the property is in conformance with the General Plan.

a-3

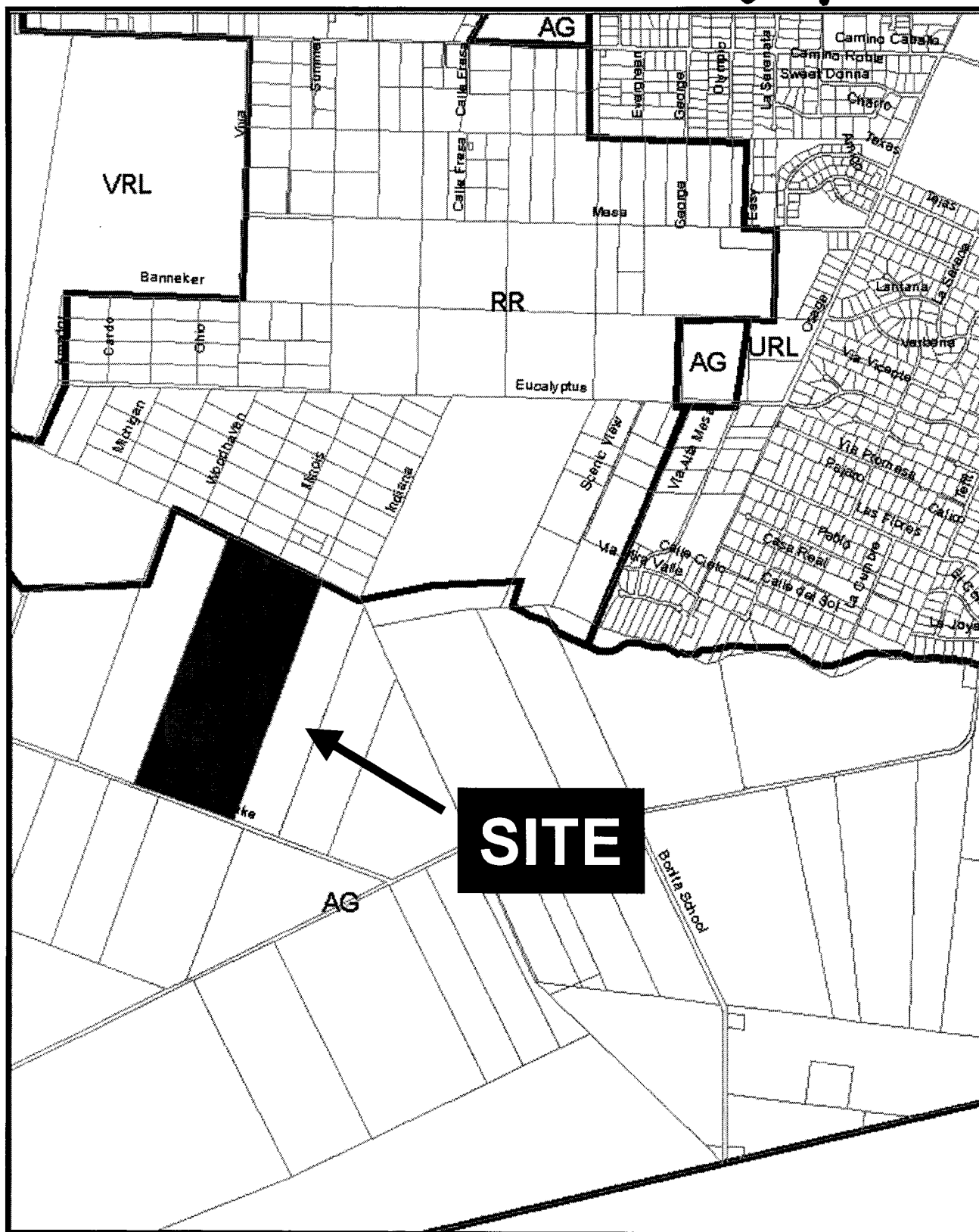
DETERMINATIONS AND FINDINGS

Proposed acceptance of an approximately 30-acre site is in conformity with the county General Plan based on the following findings:

- A. The proposed use of the property as open space is allowable in the Agricultural land use category pursuant to Table 2-2 of the Land Use Ordinance, Title 22 of the County Code; any proposal for a future park would require further analysis.
- B. The proposed acceptance does not conflict with other elements of the County General Plan.

Report prepared by Josh LeBombard and reviewed by Kami Griffin, Supervising Planner

A-4



PROJECT

DTM2004-00001
County of San Luis Obispo



EXHIBIT

Land Use Category Map